REMARKS

Claims 1, 3 and 5-14 and 24-32 are pending. Claims 12-14 are currently withdrawn for being drawn to a non-election invention. Claims 15-23 are currently cancelled and claims 2 and 4 were previously cancelled. Applicants reserve the right to prosecute these claims in an application that claims priority to the present application. New claim 24 is added, which includes the limitation currently removed from claim 1. New claim 25 is added and support can be found in the specification, page 6, paragraph 3. New claims 26 and 27 are added and support can be found in Fig. 7 and Fig. 15, respectively. New claims 28-32 are added and support can be found in the specification, page 2, paragraphs 1 and 3.

It is noted that the limitation of two coaxial sleeves in claim 1 has been removed. To the extent that any prior arguments relating to the coaxial sleeves do not apply to any of the claims as currently amended, Applicants hereby expressly retract all such arguments.

Claim Rejections Under 35 U.S.C. 103

Claims 1, 3, 7 and 11 are rejected under 35 USC 103(a) for being allegedly rendered obvious by Savin et al. (4,950,227) in view of Michael et al. (6,287,285). Savin describes a stent delivery system comprising a catheter and a stent. However, Savin does not disclose any type of coating on either the stent or the catheter. The Examiner points to column 4, lines 55-57 for a teaching of an adhesion resistant coating, however this passage merely states, "a lubricating solution can be provided between the balloon 14 and sleeve 18 and 20 to aid in release of stent 16 from the sleeves." Savin does not disclose an adhesion resistant coating that is located between the implant and the delivery device. Rather, a "lubricating solution" in Savin may be provided between the balloon and the sleeves, not between the balloon and the stent. Furthermore, the present claim recites that "the implant adhesion-resistant treatment prevents the implant coating from being stripped from an implant surface." There is no reason to conclude that the lubricating solution prevents a coating from being stripped from the implant. The Examiner concedes that Savin does not disclose any coating on the stent. Thus, there would be no motivation to provide an adhesion resistant coating on the delivery device to preserve a non-existent coating on the stent in Savin. Thus, Savin does not disclose all the limitations of claim 1 (and all claims that depend therefrom).

Furthermore, with respect to newly added or amended claims 5 and 28-30, in addition to the above arguments, Savin also does not disclose any therapeutic in the lubricating solution or anywhere on the catheter or stent.

Michael et al. does not cure the deficiencies of Savin. Michael describes a therapeutic or lubricious coating for an intracorporeal medical device that allegedly strongly adheres to the surface of the device. The embodiments of Michael describes either a stent or a catheter having a coating, but nowhere are these two embodiments combined together, and there is no motivation for such a combination.

For example, Michael describes and illustrates a catheter with a coating (See Figure 1 and col. 9, lines 34-42). However, when Michael describes and illustrates a stent on a catheter, only the stent is described and illustrated as having a coating (See Figure 10-12 and col. 12, lines 8-23). In other words, when a stent and a catheter are described in combination, there is no disclosure of a coating on the surface of the stent and a coating on the surface of the catheter that interfaces with the coated surface of the stent. This supports Applicants position that Michael is only directed to a coating on any single intracorporeal medical device (whether a stent or a catheter) that allegedly adheres to the surface of the medical device and does not even touch upon any relationship between coatings on two different interfacing medical devices—which is what the present claims are directed to. The Examiner cannot simply pick and choose between embodiments of a reference and combine them if there is no motivation or suggestion to do so.

In the previous Office Action, the Examiner stated that "The examiner wants to show that it is well known in the art the use of a catheter having an adhesion resistant treatment in combination with a stent in order to *treat a specific blood vessel site* and promote the *quick release of the stent* from the delivery system." Page 2, Office Action of March 7, 2006. Applicants are unclear how such a statement has any bearing on the subject matter recited in claim 1. "[T]reat[ing] a specific blood vessel site" does not provide any motivation for coating a catheter or a stent (let alone for applying an adhesion-resistant coating on a catheter surface that interfaces with a coated stent surface) since an intravascular device can treat a blood vessel site irrespective of a coating. Regarding reference to "quick release of the stent," it is unclear to Applicants why the Examiner believes that the time it takes for a stent to be released from a

catheter has some bearing on the presence or absence of an adhesion resistant treatment on a catheter.

Although it may be known to use a lubricious coating on a catheter for ease of insertion into a body lumen, as described by Michael, there is no disclosure or teaching of a coated catheter in combination with any stent, especially not a coated stent. In fact, if a stent were placed on a catheter for insertion, a lubricious coating on the catheter would be superfluous for ease of insertion, since the catheter would be covered by the stent. The outer surface of the stent could have a lubricious coating, but there would be no motivation to coat the outer surface of the catheter, since it would no longer be in contact with the body lumen.

Additionally, the Examiner stated that, "The Examiner wants to show that it is well known in the art to use a stent with a coated drug in order to treat a condition in a blood vessel." Page 2, Office Action of March 7, 2006. Even if there is independent motivation to coat either a stent (for drug treatment) or a catheter (for insertion), there is no motivation to do both together. Michael does not describe a coated stent together with a coated catheter and provides no teaching or motivation for combining these two embodiments, as discussed above.

The present invention coats the area of the catheter that is in contact the stent in order to prevent stripping the stent coating when the stent is removed from the catheter and implanted in the body lumen. Such a problem was not even contemplated by Michael. Michael is directed to a wholly distinct issue of creating a lubricious or therapeutic coating that allegedly strongly adheres to the device. Thus, the combination of Michael and Savin does not disclose all of the limitations of claim 1 (and all claims that depend therefrom).

Claims 5, 6 and 8-10 are rejected under 35 USC 103(a) for being allegedly rendered obvious by Savin et al. (4,950,227) in view of Michael et al. (6,287,285) and further in view of Wang (5,902,631). For the reasons discussed above, Michael and Savin do not disclose all of the limitations of claim 1, and all claims that depend therefrom. Wang does not cure these deficiencies. Wang describes a balloon catheter that has a portion with a lubricity gradient. However, the catheter is lubricious to allow movement within the lumen of the body, not to allow for release of a removable implant placed on the outer surface. In fact, Wang does not disclose any such removable implant, let alone an implant with a coating, wherein the adhesion

resistant treatment prevents the coating from being stripped from the implant. Thus, the combination of Michael, Savin, and Wang does not disclose all the limitations of claim 1, and all claims which depend therefrom.

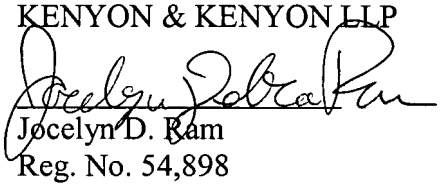
CONCLUSION

It is respectfully submitted that the present application is now in condition for allowance, which action is respectfully requested. The Examiner is invited to contact Applicants' representative to discuss any issue that would expedite allowance of the subject application.

Any fees for extension(s) of time or additional fees required in connection with the filing of this response, are hereby petitioned under 37 C.F.R. § 1.136(a), and the Commissioner is authorized to charge any such required fees or to credit any overpayment to Kenyon & Kenyon's Deposit Account No. 11-0600.

Respectfully submitted,
KENYON & KENYON LLP

Dated: April 27, 2007



Jocelyn D. Ram
Reg. No. 54,898

1500 K Street, N.W.
Suite 700
Washington, D.C. 20005
Tel: (202) 220-4200
Fax: (202) 220-4201